D.B.CIVIL HEABEAS CORPUS PETITION NO.4096/2006
(Kana Ram vs. Shri Om Prakash & Anr.)

Date of Order: 18.08.2006

HON'BLE MR.JUSTICE N.N.MATHUR
HON'BLE MR.JUSTICE R.P.VYAS

Mr.Neel Kamal Bohra, for the petitioner
Mr.H.M.Saraswat, for the respondent
Mr.S.K.Vyas, Government Advocate

The instant habeas corpus petition has been filed by Kana Ram for production of Lalita. It is averred that he solemnised marriage with Lalita on 22.9.2005. The marriage was opposed by her parents. The father of Lalita lodged a First Information Report at Police Station, Sojat City on 4.9.2005 alleging therein that petitioner enticed and abducted his daughter against her wishes. The police registered a case for offence under Section 363 & 366 I.P.C. Lalita was produced before the court of Judicial Magistrate, Sojat City. It is submitted that she has been unlawfully detained by her parents. We ascertained her desire in open Court. She expressed to stay with her parents. After giving a time for reflection, we again ascertained her desire in Chamber. She has made some allegations against petitioner Kana Ram. She apprehends danger to her life

from him. Be that as it may, she has expressed her desire to stay with her parents.

In view of her statement, it cannot be said that she is in unlawful detention. The habeas corpus petition stands dismissed. In event the corpus demands for security, the concerned Police Officer is directed to extend the same.

(R.P. VYAS), J. **(N.N.MATHUR), J.**

BKS/-